



## MEETING OF MAY 2, 2006

### AGENDA ITEM NO. 6A

Application I.D.:	2005-0068
Application Type:	Single Family Design Review
Location:	809 North Road
Applicant/Owners:	Ram Raju
APN:	044-151-220
Zoning:	R-2 Duplex Residential
General Plan Designation:	RM – Medium Density Residential
Environmental Determination:	Categorically Exempt, Section 15303, Class 3(b)

### PROJECT DESCRIPTION

The applicant has requested Duplex Design Review approval to convert an existing 1,628 square foot single family residence to a duplex and to construct a 2,155 square foot addition, resulting in a total of 3,783 square feet that is below the zoning district permitted 4,224 square feet for this site. The project will include a two-story addition to the existing residence.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Duplex Design Review subject to the conditions of approval contained in the attached draft resolution<sup>1</sup>.

### ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence and proposed conversion to a duplex is a permitted use in the designated R-2, Duplex Residential, zoning district, and is conforming to the General Plan designation RM, Medium Density Residential.

### PRIOR ACTIONS

The subject property was established as part of the E. D. Swift Tract Subdivision No. 1 in 1913. The existing house was built in 1932. A lot line adjustment certificate was recorded on August 27, 1990, combining all of lot 9 and a portion of lot 10.

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<sup>1</sup> Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

STAFF REPORT

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**500 FOOT RADIUS MAP**

## **SITE CONDITIONS**

The subject property is located in a neighborhood of mixed uses; single-family and medium density residential on the south side of North Road and commercial uses on the north side of North Road and to the east on El Camino Real. The lot is flat and developed with a single-story house, a detached single-car garage and a detached unenclosed carport. The site includes a large amount of hardscape areas covered with concrete and pea gravel and a small lawn area in the rear yard that is in poor condition. The side and rear yards are enclosed with a 5' high wooden fence, and the front yard is enclosed with a 3' high metal fence. There are no protected trees on the site.

## **PROJECT ANALYSIS**

### Existing Dwelling Floor Area/Layout and Modifications

The 1,628 square foot residence consists of a living room, kitchen, dining room, study, three bedrooms, one and one-half bathrooms and a detached garage/storage building. Proposed floor area modifications consist of:

- Removal of the 408 square foot detached garage/storage building
- Removal of the 46 square foot one-half bathroom at the rear of the house – the modified rear wall would become the common wall between the two units of the duplex.

The detached unenclosed carport would also be removed. No other modifications or floor area additions are proposed to the interior the existing house.

### Proposed Ground Floor Modification/Expansion - New Duplex Unit

The proposed 1,300 square foot expansion on the ground level consists of:

- A large entry that also serves as a sitting area
- Two bedrooms
- One bathroom
- Stairs to the second floor
- Two-car garage with interior dimensions of 23'6" by 20'
- Covered patio entrance

### Proposed Second Floor – New Duplex Unit

The proposed 1,309 square foot new second floor consists of:

- A living/dining area
- Kitchen
- Two bedrooms
- One and one-half bathrooms
- Laundry room
- Stairwell
- Covered rear deck and exterior stairs to rear yard

<b>Dwelling Floor Area Summary</b>		
<b>Square Footage</b>		<b>Existing Layout/Proposed Additions</b>
Existing First Floor:	1,628 sq. ft.	<u>Existing First Floor:</u> Living and dining rooms, kitchen, study, three bedrooms, one and one-half bathrooms, garage.
Remove garage	- 408	
Remove bathroom	- 46	
Remodeled First Floor	1,174 sq. ft.	
New First Floor Expansion:	1,300 sq. ft.	<u>Proposed First Floor Expansion/New Unit:</u> Entry area, two bedrooms, one bathroom, two-car garage.
New Second Floor:	1,309 sq. ft.	<u>Proposed Second Floor/New Unit:</u> Living and dining area, kitchen, two bedrooms, one and one-half bathrooms, laundry room.
Total	3,783 sq. ft.	

#### Exterior Materials/Colors

The proposed duplex would have a stucco texture exterior finish with an asphalt composition shingle roof. Exterior modifications to the existing residence would include stucco resurfacing and a new roof and vinyl windows to match the new addition. The color palette consists of off-white stucco finish, dark green trim and brown roof shingles.

#### Landscaping and Groundwork

The existing double-wide driveway, carport structure and detached garage would be removed. A new 12' by 74' concrete driveway would be constructed with a parking area (approximately 20' by 20') located in front of the new garage, which requires a 90-degree turn approach. The new driveway would be lined with 30 (15 gal.) bald cypress trees.

The pea gravel and concrete surfaced areas in the front, side and rear yards would be removed and planted with new turf. Four magnolia and three smoke trees (6 gal.) would be planted in the front yard. The existing three acacia trees in the rear yard would remain.

There are no protected trees on the site, and no trees would be removed. The existing 5' high wooden fence along the side and rear yards and the front iron fence would remain.

The site is level, and the proposed construction would occur on partially developed and rear yard areas of the site. No significant grading would be required for the proposed construction.

## PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
<b>Lot Size</b>	7,040 sq. ft.	No Change	No Change
<b>Slope</b>	0%	No Change	No Change
<b>FAR</b>	0.231	0.537	0.600
<b>Square Footage</b>	1,628	3,783 sq. ft.	4,224 sq. ft.
<b>Parking</b>	One-car garage One-car carport	Two-car garage (23' x 21') Two uncovered	Two-car garage Two uncovered
<b>Setbacks:</b>			
<b>Front (south)</b>	18 ft.	18 ft.	NA*
<b>Side (east)</b>	5 ft.	6 ft. 5 in.	6 ft 5 in.
<b>Side (west)</b>	27 ft.	16 ft. 6 in.	6 ft. 5 in.
<b>Rear (north)</b>	48 ft.	15 ft.	15 ft.
<b>Driveway length</b>	60 ft.	94 ft.	18 ft.
<b>Height</b>	16 ft.	27 ft.	35 ft.

\* As the proposed addition does not encroach upon the existing front yard setback on North Road, the provisions of BZO Section 9.7.4(a) were not evaluated.

## GENERAL PLAN CONFORMANCE

The proposed conversion to a duplex residence does not change the intended land use of the site. The proposed duplex residence is in conformance with the medium-density residential general plan designation.

## ZONING CONFORMANCE

The proposed addition and site improvements meet all setback, height, FAR, and permitted use regulations of the R-2 zoning district.

## NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy attached to this report. The property owner reported going in person during January 2006 to neighbors on both sides of his house on North Road and to neighbors behind his house on Ruth Road, eight total. He did not go to properties across the street as those properties are zoned commercial. The applicant reports that all feedback was positive. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

## ENVIRONMENTAL CLEARANCE (CEQA)

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15303, Class 3 (b):

*“Construction and location of limited numbers of new, small facilities or structures ... and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure:*

*(b) A duplex or similar multi-family residential structure totaling no more than four dwelling units.”*

The proposed residence meets the above requirements for CEQA exemption.

## SINGLE FAMILY/DUPLEX DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential and duplex residential projects (Section 13A.5(A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative. This is the second duplex project to be reviewed since the February 2004 Design Review amendments.

A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The existing residence is situated on a non-ridge, level lot and the proposed additions would not disrupt any public views as assessed from North Road. The design, materials and color palette of the proposed remodel and addition are consistent with the established character (wood and stucco exterior designs) of other one and two story homes within the neighborhood. Staff believes this finding can be made in the affirmative.

B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) building bulk*
- (2) grading, including
  - (a) disturbed surface area and*
  - (b) total cubic yards, cut and fill**
- (3) hardscape, and*
- (4) tree removal*

### Building bulk

The proposed project would increase the bulk of the existing building with a two-story addition at the rear of the existing single-story dwelling. The overall bulk is broken up by articulated roof lines, window and door treatments, and exterior covered patios and decks with railings. The color pallet of off-white with dark green trim and dark brown roof elements, and the addition of

new trees in the front and side yards provides some screening and color/texture to the overall exterior appearance of the building. However, staff believes the overall architectural style is marginal and could be enhanced by additional exterior architectural treatments (i.e. a bellyband, cornices, eave and window treatments). Staff has included a condition of approval to require modifications to the exterior elevations that is subject to review and approval by the Planning Commission.

### Grading/Hardscape

The proposed construction would occur on a flat and partially developed (with a deck and patio) portion of the site and would require minimal grading. Although the building footprint would double in size, the detached 408 square foot garage and approximately 2,592 additional square feet of existing hardscape would be removed. Half of the existing 24' wide driveway immediately adjacent to the right side of the house would be removed and planted as a side yard. The pea gravel in the front yard and the concrete surfaces in the rear yard would be replaced with lawn. The new driveway would extend approximately 34' longer than the existing, but would be reduced to 12' wide and would be lined with bald cypress trees.

Overall, the estimated site hardscape coverage would decrease slightly from approximately 59% (4,174 sq. ft.) to 58% (4,074 sq. ft.). However, staff believes additional hardscape reductions of the proposed 94' long driveway could result from an alternative floor layout for the proposed addition, which would locate the new two-car garage closer to the location of the existing garage and keep a straight in approach, rather than a 90-degree turn in approach. Staff has identified this as a "**close call**" in the conclusion of this report.

### Tree Removal

No protected trees would be removed for the proposed construction. The new driveway would be lined with 30 (15 gal.) bald cypress trees, and the front side and rear yards would be replanted with new turf. Four magnolia and three smoke trees (6 gal.) would be planted in the front yard. The existing three acacia trees in the rear yard would remain. There are no protected trees on the site, and no trees would be removed.

Two of the four required factors (building bulk, grading, and tree removal) have been appropriately balanced for the project. Although staff has concerns relating to the architectural style of the proposed addition and to the aggregate project hardscaping that would result for the site, staff believes these issues are not significant enough to warrant a continuation or denial of the project. With the additional condition of project approval requiring modifications to the exterior elevations, staff believes this finding can be made in the affirmative.

C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The driveway is level and of adequate width and length to provide a safe backup space and to park two cars. The entrances to each side of the duplex are accessed by level paved walkways or by exterior stairs that are safe for pedestrian usage. Staff believes this finding can be made in the affirmative.

*D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The proposed construction would occur on a lot that is level and partially developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

*E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The existing driveway curb cut would remain the same, and the proposed driveway and parking surface would consist of concrete on level ground. Although the width of the existing driveway would be reduced from 24' to 12', the length would increase from 60' to 94' and would widen out to a parking area of 20' by 20' at the rear of the site due to a 90 degree angle turn into the proposed garage. Staff believes a straight in approach to the garage could result in a reduction of hardscape.

However, moving the garage forward and reducing the length of the driveway may create a less desirable front entrance and ground floor layout for the proposed addition. These modifications may be further constrained by the required side yard setbacks. Staff has identified the integration of the driveway and garage into the overall project site as a “*close call*” in the conclusion of this report. Although staff has concerns about the length of the proposed driveway, staff recognizes that a fair amount of hardscape has been removed due to the reduction in the width of the driveway and believes this issue is not significant enough to warrant a continuation or denial of the project. Staff believes that overall this finding can be made in the affirmative.

*F. The landscape plan incorporates:*

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains lawn areas that are in poor condition. The proposed landscape plan includes removing some existing paved surfaces and planting with new lawn, planting four magnolia and three smoke trees (6gal.) in the front yard, lining the resurfaced driveway with 30 (15 gal.) bald cypress trees, and keeping the three acacia trees in the rear yard. There are no protected trees on the site, and no trees would be removed. The existing 5' high wooden fence along the side and rear yards and the existing 3' high iron fence in the front yard would remain.

However, staff believes the proposed landscape planting plan is unimaginative, and not adequate to sufficiently soften and screen the proposed two-story addition and compliment the overall appearance of the enlarged residential structure on the site. Staff has included a condition of



approval to require a revised landscape plan be prepared by a licensed landscape architect, subject to review and approval by the Planning Commission. With satisfaction of this condition, staff believes this finding can be made in the affirmative.

*G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

*H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

A temporary encroachment permit as administered and reviewed by the Public Works Department would be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. Staff believes this finding can be made in the affirmative.

## **CONCLUSION AND RECOMMENDATION**

The proposal requires Duplex Design Review which staff believes warrants approval. However, in light of City Council's direction regarding "close call" considerations, staff believes the following factors make this request a "close call":

- The site plan includes a 94' long driveway that far exceeds the required 18' length that is prescribed by the BZO.
- The proposed hardscape could be modified by siting the garage closer to the street and by eliminating the need for a 90-degree turn in approach.

Overall, staff has concerns relating to the project hardscaping that would result for the site. However, based on the analysis and required findings, staff recommends approval of the Single Family Design Review with the Conditions of Approval in Attachment III.

## **ACTION ALTERNATIVES**

1. Continue the application for redesign.
2. Deny the Duplex Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

## ATTACHMENTS

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Duplex Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Applicant's plans, materials board, and photos (Commission only)

Respectfully submitted,

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Tricia Schimpp  
Contract Planner

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Carlos de Melo  
Community Development Director

CC: Applicant/Owners

### ***PLEASE NOTE:***

**Attachments IV and V are not included as part of this document – please contact the Community Development Department at (650) 595-7417 for further information on these attachments.**

RESOLUTION NO. 2006-\_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT

APPROVING DUPLEX DESIGN REVIEW

809 NORTH ROAD (APPL. NO. 2005-0068)

WHEREAS, Ram Raju, property owner, requests Duplex Design Review approval to convert an existing 1,628 square foot single family residence to a duplex and to construct a 2,155 square foot addition, resulting in a total of 3,783 square feet that is below the zoning district permitted 4,224 square feet for this site; and,

WHEREAS, a public hearing was duly noticed, held on May 2, 2006, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15303, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated May 2, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Duplex Design Review Findings, Section 13A.5 (A-H), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The existing residence is situated on a non-ridge, level lot and the proposed additions would not disrupt any public views as assessed from North Road. The design, materials and color palette of the proposed remodel and addition are consistent with the established character (wood and stucco exterior designs) of other one and two story homes within the neighborhood. This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
  - (a) *disturbed surface area and*
  - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

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The proposed project would increase the bulk of the existing building with a two-story addition at the rear of the existing single-story dwelling. The overall bulk is broken up by articulated roof lines, window and door treatments, and exterior covered patios and decks with railings. The color palette of off-white with dark green trim and dark brown roof elements, and the addition of new trees in the front and side yards provides some screening and color/texture to the overall exterior appearance of the building. However, the overall architectural style is marginal and could be enhanced by additional exterior architectural treatments (i.e. a bellyband, cornices, eave and window treatments). A condition of approval has been included to require revisions to the exterior elevations that are subject to review and approval by the Planning Commission.

### Grading/Hardscape

The proposed construction would occur on a flat and partially developed (with a deck and patio) portion of the site and would require minimal grading. Although the building footprint would double in size, the detached 408 square foot garage and approximately 2,592 additional square feet of existing hardscape would be removed. Half of the existing 24' wide driveway immediately adjacent to the right side of the house would be removed and planted as a side yard. The pea gravel in the front yard and the concrete surfaces in the rear yard would be replaced with lawn. The new driveway would extend approximately 34' longer than the existing, but would be reduced to 12' wide and would be lined with bald cypress trees.

Overall, the estimated site hardscape coverage would decrease slightly from approximately 59% (4,174 sq. ft.) to 58% (4,074 sq. ft.). Additional hardscape reductions of the proposed 94' long driveway could result from an alternative floor layout for the proposed addition, which would locate the new two-car garage closer to the location of the existing garage and keep a straight in approach, rather than a 90-degree turn in approach.

### Tree Removal

No protected trees would be removed for the proposed construction. The new driveway would be lined with 30 (15 gal.) bald cypress trees, and the front side and rear yards would be replanted with new turf. Four magnolia and three smoke trees (6 gal.) would be planted in the front yard. The existing three acacia trees in the rear yard would remain. There are no protected trees on the site, and no trees would be removed.

Two of the four required factors (building bulk, grading, and tree removal) have been appropriately balanced for the project. Although the Commission has concerns relating to the architectural style and to the aggregate project hardscaping that would result for the site, the Commission believes these issues are not significant enough to warrant a continuation or denial of the project. With the additional condition of project approval requiring modifications to the exterior elevations, this finding is affirmed.

- C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structure.*

The driveway is level and of adequate width and length to provide a safe backup space and to park two cars. The entrances to each side of the duplex are accessed by level paved walkways or by exterior stairs that are safe for pedestrian usage. This finding is affirmed.

*D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation. .*

The proposed construction would occur on a lot that is level and partially developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. This finding is affirmed.

*E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The existing driveway curb cut would remain the same, and the proposed driveway and parking surface would consist of concrete on level ground. Although the width of the existing driveway would be reduced from 24' to 12', the length would increase from 60' to 94' and would widen out to a parking area of 20' by 20' at the rear of the site due to a 90 degree angle turn into the proposed garage. Staff believes a straight in approach to the garage could result in a reduction of hardscape.

However, moving the garage forward and reducing the length of the driveway may create a less desirable front entrance and ground floor layout for the proposed addition. These modifications may be further constrained by the required side yard setbacks. Although the Commission has concerns about the length of the proposed driveway, the Commission recognizes that a fair amount of hardscape has been removed due to the reduction in the width of the driveway and believes this issue is not significant enough to warrant a continuation or denial of the project. This finding is affirmed.

*F. The landscape plan incorporates:*

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains lawn areas that are in poor condition. The proposed landscape plan includes removing some existing paved surfaces and planting with new lawn, planting four magnolia and three smoke trees (6gal.) in the front yard, lining the resurfaced driveway with 30 (15 gal.) bald cypress trees, and keeping the three acacia trees in the rear yard. There are no protected trees on

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the site, and no trees would be removed. The existing 5' high wooden fence along the side and rear yards and the existing 3' high iron fence in the front yard would remain.

However, the Commission believes the proposed landscape planting plan is unimaginative, and is not adequate to sufficiently soften and screen the proposed two-story addition and compliment the overall appearance of the enlarged residential structure on the site. A condition of approval has been included to require a revised landscape plan prepared by a licensed landscape architect that is subject to review and approval by the Planning Commission. With satisfaction of this condition, this finding is affirmed.

*G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards. .*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

*H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

A temporary encroachment permit as administered and reviewed by the Public Works Department would be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Duplex Design Review approval to convert an existing 1,628 square foot single family residence to a duplex and to construct a 2,155 square foot addition, resulting in a total of 3,783 square feet at 809 North Road, subject to the attached conditions in Exhibit "A".

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on May 2, 2006 by the following vote:

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AYES,

COMMISSIONERS: \_\_\_\_\_

NOES,

COMMISSIONERS: \_\_\_\_\_

ABSENT,

COMMISSIONERS: \_\_\_\_\_

ABSTAIN,

COMMISSIONERS: \_\_\_\_\_

RECUSED,

COMMISSIONERS: \_\_\_\_\_

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Carlos de Melo

Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL  
DUPLEX DESIGN REVIEW  
809 NORTH ROAD (APPL. NO.2005-0068)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2005-0068 and date-stamped April 24, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. Prior to issuance of building permits, the property owner shall revise the elevation drawings to include enhanced architectural treatments, that is subject to review and approval by the Planning Commission.
5. Prior to issuance of building permits, the property owner shall have a revised landscape plan prepared by a licensed landscape architect, that is subject to review and approval by the Planning Commission.



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6. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
7. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

Building Division

- A. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
  1. Plans shall conform with approved project plans.
  2. Obtain all required permits.
  3. Building materials and color scheme shall be shown on plans.
  4. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints.
  5. Provide space for recycling containers.
  6. Provide list of construction and demolition recycling service providers.
  7. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.
  8. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
  9. Investigate opportunities for salvaging material for reuse.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs of preconstruction condition are advised.
  2. A residential driveway approach shall be installed in accordance with the Department of Public Works approved standards.
  3. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
  4. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
  5. Runoff from trash enclosures, recycling areas, and/or food compactor enclosures, or similar facilities shall not discharge to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. If any drains are installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities, the drains shall be connected to a grease removal device and/or treatment devices prior to discharging to the sanitary sewer.
  6. Applicant shall provide receptacles for recycling. Containers shall segregate glass, plastic and aluminum containers and paper. Property manager shall ensure these materials are recycled, such as by adding them to the regular recycle stream for on-site pick up by BFI or by returning them for redemption.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
  2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.

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3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
4. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
5. The proposed development may add or replace the impervious surface area of the property. The applicant shall provide calculations showing the total impervious area of the completed project with the building permit application. Calculations shall be submitted to the Department of Public Works for review and approval.
6. The owner/applicant shall perform a video inspection of the sewer lateral from the house/building to the sewer main, submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral.
7. If PG&E is requiring the developer to put in the gas and/or electrical connection, then the developer must submit plans for the encroachment to the Department of Public Works.
8. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
  - a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
  - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
  - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
  - d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
  - e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.

- f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
  - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
9. All plans shall conform to the requirement of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.
10. The property owner shall install, operate and maintain all permanent stormwater quality protection measures included in the approved project plan using qualified personnel. The property owner/applicant must keep a maintenance and inspection schedule and record to ensure that the treatment control measures continue to operate effectively. Records must be provided to the Department of Public Works, on an annual basis, on or before June 30 of each year.
11. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
  1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
  2. Failure to comply with any permit condition may result in a "Stop Work" order or other penalty.
  3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through

Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.

4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
  - a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
  - c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
  - d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
  - e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
  - f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
  - g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
  - h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
  - i. Limit construction access routes and stabilize designated access points.
  - j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
6. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the

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Department of Public Works may direct the developer to implement additional winterization requirements.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

\_\_\_\_\_  
Carlos de Melo, Director of Community Development

\_\_\_\_\_  
Date